IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(C).No. 11175 of 2004(E)

PETITIONER:

V.N. GOPALAKRISHNAN NAIR,
MOOTHEKKATTU HOUSE, THRIKKALATHOOR P.O.,
MUVATTUPUZHA.

BY ADV. SMT.I.SHEELA DEVI

RESPONDENTS:
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1. DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES (AUDIT), ERNAKULAM.

2. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETEIS (AUDIT), MUVATTUPUZHA.

3. THRIKKALATHOOR SERVICE CO-OPERATIVE BANK LTD.NO.145, REPRESENTED BY ITS SECRETARY, THRIKKALATHOOR P.O., MUVATTUPUZHA.

BY SPL.GOVT.PLEADER,SRI.SWATHIKUMAR
SRI.P.VINODKUMAR --- R3

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 11175/2004 E

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE JUDGMENT DT. 20/11/2003 IN OP NO. 7273/2001 OF THIS COURT.

EXT.P2. COPY OF THE COMMUNICATIOND T. 1/09/2003 FROM THE R3 TO THE PETITIONER.

EXT.P3. COPY OF THE REPRESENTATION DT. 12/09/2003 BY THE PETITIONER BEFORE THE PRESIDENT OF THE R3 BANK.

EXT.P4. COPY OF THE EXTRACT OF THE SERVICE EREGISTER OF THE PETITIONER.

EXT.P5. COPY OF THE GOVT. ORDER GO P NO. 3226/98/(3)/FIN DT. 29/12/98.

EXT.P5A. COPY OF THE CIRCULAR NO. 4/99 DT. 16/2/99 BY THE REGISTRAR OF CO-OP SOCIETIES.

EXT.P6. COPY OF THE COMMUNICATION DT. 24/11/03 BY THE R3.

EXT.P7. COPY OF THE REPRESENTATION DT. 3/12/2003 BY THE PETITIONER BEFORE THE PRESIDENT OF THE R 3 BANK.

True copy

tga

KURIAN JOSEPH, J.

W.P. (C). NO. 11175 OF 2004

Dated this the 22nd day of June, 2007.

J U D G M E N T

This writ petition is filed with the following prayers.

> "i) issue a writ in the nature of mandamus or any other appropriate writ, direction or order directing the 2nd respondent not to compel the 3rd respondent to proceed with the recovery steps already initiated to recover Rs.64,814/- from the petitioner.
>
> ii) issue a writ in the nature of mandamus or any other appropriate writ, direction or order directing the 2nd respondent to consider and pass orders on Ext. P7 representation as expeditiously as possible as hon'ble court may deem fit to fix".

2. There will be a direction to the second respondent/ competent authority to consider Exhibit P7 with notice to the petitioner and third respondent and pass appropriate orders in accordance with law, expeditiously. Interim order dated 30.03.2004 will continue till such time.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp